



3739/IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Dinesh Mody et al.
APPLICATION NO.: 09/751,472
FILING DATE: December 29, 2000
TITLE: Tissue Ablation Apparatus With a Sliding Ablation Instrument and Method
EXAMINER: David M. Shay
GROUP ART UNIT: 3739
ATTY. DKT. NO.: 23488-09177

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 11/4/04

By: Albert C. Smith
Albert C. Smith, Reg. No.: 20,355

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INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☒ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;

PATENT

- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained

in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☒ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____, filed on _____, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
DINESH MODY ET AL.

Dated: 11/4/04

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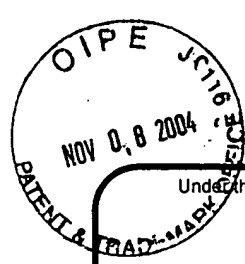
TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	09/751,472
		Filing Date	December 29, 2000
		First Named Inventor	Dinesh Mody
		Group Art Unit Number	3739
		Examiner Name	David M. Shay
Total Number of Pages in This Submission	14*	Attorney Docket Number	23488-09177

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REMARKS: * No. of pages does not include pages of cited references

SIGNATURE OF ATTORNEY OR AGENT		
Signature:		
Attorney/Reg. No.:	Albert C. Smith/Reg. No. 20,355	Dated: 11/4/04

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application No.	09/751,472
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Art Unit	3739
Examiner Name	David M. Shay
Attorney Docket Number	23488-09177

Sheet 1 of 9

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No. Number - Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-3,598,108	08-10-1971	JAMSHIDI ET AL.
		US-3,886,944	06-03-1975	JAMSHIDI
		US-3,976,082	08-24-1976	SCHMITT
		US-4,033,357	07-05-1977	HELLAND ET AL.
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		US-4,204,549	05-27-1980	PAGLIONE
		US-4,244,371	01-13-1981	FARIN
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		US-4,583,556	04-22-1986	HINES ET AL.
		US-4,601,296	07-22-1986	YERUSHALMI
		US-4,640,983	02-03-1987	COMTE
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		US-4,763,668	08-16-1988	MACEK ET AL.
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		US-4,800,899	01-31-1989	ELLIOTT
		US-4,823,812	04-25-1989	ESHEL ET AL.
		US-4,825,880	05-02-1989	STAUFFER ET AL.
		US-4,841,988	06-27-1989	FETTER ET AL.
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		US-4,891,483	01-02-1990	KIKUCHI ET AL.
		US-4,924,863	05-15-1990	STERZER
		US-4,945,912	08-07-1990	LANGBERG
		US-5,007,437	04-16-1991	STERZER

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No. Number - Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-5,019,076	05-28-1991	YAMANASHI ET AL.
		US-5,057,106	10-15-1991	KASEVICH ET AL.
		US-5,085,659	02-04-1992	RYDELL
		US-5,097,845	03-24-1992	FETTER ET AL.
		US-5,100,388	03-31-1992	BEHL ET AL.
		US-5,114,403	05-19-1992	CLARKE ET AL.
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		US-5,190,054	03-02-1993	FETTER ET AL.
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		US-5,304,207	04-19-1994	STROMER
		US-5,334,168	08-02-1994	HEMMER
		US-5,344,431	09-06-1994	MERRITT ET AL.
		US-5,358,515	10-25-1994	HÜRTER ET AL.
		US-5,364,336	11-15-1994	CARR
		US-5,364,352	11-15-1994	CIMINO ET AL.
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		US-5,376,094	12-27-1994	KLINE

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		US-5,383,922	01-24-1995	ZIPES ET AL.
		US-5,391,147	02-21-1995	IMRAN ET AL.
		US-5,397,304	03-14-1995	TRUCKAI
		US-5,403,312	04-04-1995	YATES ET AL.
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		US-5,531,677	07-02-1996	LUNDQUIST ET AL.
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		US-5,578,030	11-26-1996	LEVIN
		US-5,599,295	02-04-1997	ROSEN ET AL.
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		US-5,607,389	03-04-1997	EDWARDS ET AL.
		US-5,628,771	05-13-1997	MIZUKAWA ET AL.
		US-5,643,255	07-01-1997	ORGAN
		US-5,673,694	10-07-1997	RIVERS
		US-5,683,382	11-04-1997	LENIHAN ET AL.
		US-5,683,384	11-04-1997	GOUGH ET AL.
		US-5,693,082	12-02-1997	WARNER ET AL.

Examiner Signature		Date Considered	
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U.S. PATENT DOCUMENTS

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		US-5,720,718	02-24-1998	ROSEN ET AL.
		US-5,737,384	04-07-1998	FENN
		US-5,741,225	04-21-1998	LAX ET AL.
		US-5,741,249	04-21-1998	MOSS ET AL.
		US-5,743,239	04-28-1998	IWASE
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		US-5,762,626	06-09-1998	LUNDQUIST ET AL.
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		US-5,823,197	10-20-1998	EDWARDS
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		US-5,826,576	10-27-1998	WEST
		US-5,829,447	11-03-1998	STEVENS ET AL.
		US-5,836,990	11-17-1998	LI
		US-5,840,027	11-24-1998	SWARTZ ET AL.
		US-5,843,026	12-01-1998	EDWARDS ET AL.
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		US-5,855,614	01-05-1999	STEVENS ET AL.
		US-5,861,002	01-19-1999	DESAI
		US-5,861,021	01-19-1999	THOME ET AL.
		US-5,863,290	01-26-1999	GOUGH ET AL.

Examiner Signature		Date Considered	
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Sheet 5 of 9

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		US-5,871,481	02-16-1999	KANNENBERG ET AL.
		US-5,871,525	02-16-1999	EDWARDS ET AL.
		US-5,904,709	05-18-1999	ARNDT ET AL.
		US-5,921,924	07-13-1999	AVITALL
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		US-5,938,692	08-17-1999	RUDIE
		US-5,954,662	09-21-1999	SWANSON ET AL.
		US-5,957,842	09-28-1999	LITTMANN ET AL.
		US-5,957,969	09-28-1999	WARNER ET AL.
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		US-6,004,269	12-21-1999	CROWLEY ET AL.
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		US-6,016,811	01-25-2000	KNOPP ET AL.
		US-6,016,848	01-25-2000	EGRES, JR.
		US-6,027,497	02-22-2000	DANIEL ET AL.
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		US-6,056,735	05-02-2000	OKADA ET AL.
		US-6,068,628	05-30-2000	FANTON ET AL.
		US-6,086,583	07-11-2000	OUCHI
		US-6,090,105	07-18-2000	ZEPEDA ET AL.
		US-6,097,985	08-01-2000	KASEVICH ET AL.
		US-6,102,886	08-15-2000	LUNDQUIST ET AL.
		US-6,106,524	08-22-2000	EGGERS ET AL.
		US-6,146,378	11-14-2000	MUKUS ET AL.
		US-6,162,216	12-19-2000	GUZIAK ET AL.
		US-6,164,283	12-26-2000	LESH
		US-6,171,303 B1	01-09-2001	BEN-HAIM ET AL.
		US-6,178,354 B1	01-23-2001	GIBSON
		US-6,190,382 B1	02-20-2001	ORMSBY ET AL.

Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application No.	09/751,472
Filing Date	December 29, 2000
First Named Inventor	Dinesh Mody
Art Unit	3739
Examiner Name	David M. Shay
Attorney Docket Number	23488-09177

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